



State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL

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Testimony of State Representative Cara C. Pavalock-D'Amato
in Support of House Bill 6376 An Act Concerning Motor Vehicle Inspectors as Peace Officers

Chairman Verrengia, Chairman Bradley, Co-Chairs Osten and Paolillo, Ranking Members Sredzinski and Hwang and members of the Public Safety Committee, I am here to testify in support of H.B. 6376 AN ACT CONCERNING MOTOR VEHICLE INSPECTORS AS PEACE OFFICERS.

Background: Inspectors of the Department of Motor Vehicles enforce laws relating to commercial vehicles, auto theft, title fraud and more.

The term "Peace officer" is used in our statutes to include a variety of law enforcement including police officers, marshals, conservation officers, adult probation officers and even investigators of the Office of the State Treasurer.

Bill Purpose: To include Motor Vehicle Inspectors in the definition of Peace Officer under CGA §53a-3(9). This will provide DMV Officers protections under proposed legislation.

The Problem the Bill is Solving: Every year DMV Officers must take time away from their job to lobby for inclusion in proposed legislation that inadvertently leaves them out. The term "Peace Officer" is currently used in over 63 CT statutes.

Example. When the legislature passed HB 1160, An Act Concerning Gun Violence Prevention and Children's Safety, **it excluded DMV officers from many of the provisions of the bill thereby making these officers FELONS under the law** until the next legislative session when the bill was amended by Public Act 13-220.

The Bill DOES NOT: EXPAND THE ARREST POWERS of DMV Officers as some may lead you to believe. DMV Officers may only make arrests for violations of statutes relating to Motor Vehicles under §14-8(a) which states:

The commissioner, each deputy commissioner and any salaried inspector of motor vehicles designated by the commissioner, when engaged in the discharge of the duties of his office, **shall have, in any part of the state, the same authority to make arrests or issue citations for violation of any statute or regulation RELATING TO MOTOR VEHICLES** and to enforce said statutes and regulations as policemen or state policemen have in their respective jurisdictions.

You certainly do not see Conservation Officers responding to domestic violence calls and can be reassured that DMV Officers do not intend or desire to expand their arresting authority.

Proposed bill language also provides assurances that the bill should not be perceived to expand the arresting authority of DMV Officers, although this could be achieved by establishing legislative intent on the floor of the Chamber.

Inclusion in the definition of peace officers will also not increase DMV Officers' pay, authority or jurisdiction, will not cost the state any money and will not have an impact on hazardous duty retirement pay.

Conclusion: As the State of Connecticut now faces the possibility of tolls, motor vehicle inspectors will undoubtedly face an increase in volume of violations related to motor vehicle statutes. The 50 DMV Officers' time would be better spent on our roads and highways rather than at the Capitol, fighting to be included in legislation. Thank you.

H.B. 6376 SUGGESTED LANGUAGE PROPOSALS 2019:

AN ACT CONCERNING MOTOR INSPECTORS AS PEACE OFFICERS

Subsection (9) of section 53a-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

Sec. 53a-3. Definitions. Except where different meanings are expressly specified, the following terms have the following meanings when used in this title ...

(9) “Peace officer” means a member of the Division of State Police within the Department of Emergency Services and Public Protection or an organized local police department, a chief inspector or inspector in the Division of Criminal Justice, a state marshal while exercising authority granted under any provision of the general statutes, a judicial marshal in the performance of the duties of a judicial marshal, a conservation officer or special conservation officer, as defined in section 26-5, a constable who performs criminal law enforcement duties, a special policeman appointed under section 29-18, 29-18a or 29-19, an adult probation officer, an official of the Department of Correction authorized by the Commissioner of Correction to make arrests in a correctional institution or facility, any investigator in the investigations unit of the office of the State Treasurer, any special agent of the federal government authorized to enforce the provisions of Title 21 of the United States Code, or a member of a law enforcement unit of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut created and governed by a memorandum of agreement under section 47-65c who is certified as a police officer by the Police Officer Standards and Training Council pursuant to sections 7-294a to 7-294e, inclusive; a salaried inspector of motor vehicles designated by the commissioner when engaged in the execution of the duties of their office to enforce said statutes and regulations relating to motor vehicles pursuant to 14-8. Nothing in this subsection shall be construed to expand the arresting authority of a salaried inspector of motor vehicles.

Subsection (f) of section 54-1f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2019*):

Sec. 54-1f. (Formerly Sec. 6-49). Arrest without warrant. Pursuit outside precincts. (a) For purposes of this section, the respective precinct or jurisdiction of a state marshal or judicial marshal shall be wherever he is required to perform his duties. Peace officers, as defined in subdivision (9) of section 53a-3, in their respective precincts, shall arrest, without previous complaint and warrant, any person for any offense in their jurisdiction, when the person is taken or apprehended in the act or on the speedy information of others, provided that no salaried inspector of motor vehicles designated by the commissioner pursuant to 14-8 shall be considered a peace officer for the purposes of this subsection and no constable elected pursuant to the provisions of section 9-200 shall be considered a peace officer for the purposes of this subsection, unless the town in which such constable holds office provides, by ordinance, that constables shall be considered peace officers for the purposes of this subsection.